

**COASTAL PELAGIC SPECIES MANAGEMENT TEAM REPORT ON CONSIDERATIONS
 TO SCHEDULE EMERGENCY ACTION FOR CHANGES TO THE 2014-2015
 PACIFIC SARDINE FISHERY**

The 2014 sardine stock assessment estimated 369,506mt of biomass were available on July 1, 2014. The 2015 stock assessment review revealed this to be in error, and that 275,705mt should have been put forth as the 2014 biomass estimate. For this informational report, the Coastal Pelagic Species Management Team (CPSMT) examines harvest parameters based on the “corrected” 2014 biomass estimate only to provide context for evaluation of potential emergency action.

Table 1 below shows the existing adopted levels for the current season, as well as the corrected biomass of 275,705 and its corresponding harvest control rules. The difference between the acceptable biological catch (ABC) for Corrected Biomass (26,706 mt) and landings is 7,771 mt. This amount includes the remaining tribal set-aside of approximately 950 mt, the remaining incidental allowance of 500 mt., the remaining directed fishery landings of approximately 2900 mt, and harvest by the live bait fishery. Inseason harvest estimates for the California live bait fishery are not available, but annual estimates from voluntary logbook data during 2008-2013 ranged between 1849 mt and 2979 mt (mean 2403mt). In total, landings are expected to be 700 mt below the ABC at the end of the fishery year (June 30, 2015). Similarly, landings are expected to be approximately 3000-4000mt below the overfishing limit (OFL) for corrected biomass at the end of the fishery year.

Table 1. Comparison of current total commercial and tribal landings to biomass and harvest control rule outcomes.

Biomass (mt)		OFL	Remaining OFL	ABC	Remaining g ABC	ACL	Remaining g ACL
Adopted	369,506	39,210	20,275	35,792	16,857	23,293	4,358
Corrected	275,705	29,256	10,321	26,706	7,771	13,339	-5,596
Commercial and Tribal Landings (through 4/9/2015): 18,935							

Based on available information to date on landings by the directed fishery, the remaining allowable harvest is approximately 2,900mt as of April 9, 2015, with:

- Estimated Directed Harvest as of April 9 (with incidental catch rollover and QIN relinquishment): 18,064 mt
- Estimated Directed Harvest remaining as of April 9: 2,900 mt
- Projected Total Directed Harvest for the 2014-15 Fishery: 20,964 mt

The directed fishery landings by fishery period and state are provided in Table 2.

Table 2. Directed fishery landings as of April 9, 2015.

	California	Oregon	Washington	Total
1st Period Totals	70.8	3,881.10	3,107.00	7,058.90
2nd Period Totals	1,915.90	3,694.50	3,221.10	8,831.50
3rd Period Totals	642.3	1531	0	2173.3

Current Directed Fishery Activity

Currently, no directed fishing is occurring off Washington and California. Fishing is occurring off Oregon, which is unusual this time of year. Spotter planes detected sardines off the central Oregon coast in March. The number of vessels and processors has varied somewhat since fishing began on March 19. Two to four vessels have fished at any one time and two to four processors have been buying sardines. Since March 19, vessels have landed sardines into Winchester Bay, Newport, and Charleston. Fish are being trucked for processing to Astoria and Westport, WA. Sardines trucked to Westport are accounted for on an Oregon fish ticket or dockside tally sheet. Currently, two boats are landing into Winchester Bay, Oregon and 2-3 vessels are landing into Charleston, Oregon.

Oregon Directed Fishery Catch Rates and Projections

Information on Oregon landings during March 19-30 are obtained from fish tickets. Information on Oregon landings during March 31 –April 9 are primarily from dockside weight tallies and the hails from 3 vessels on April 9. Landings in Oregon may have occurred since April 9.

The mean daily rate of landings into Oregon during March 19-April 9 was 70mt. At this rate, the remaining 2,900mt would be taken in approximately 41 calendar days, which would be May 20. During March 19-30, landings were made on 8 of the 12 calendar days. Information on the number of days fished during March 31-April 9 is not currently available. The average amount landed per fishing day in March was 129mt. At this rate, the remaining allocation may be taken in as little as 22 days (May 1). During March 31-April 9, the mean daily landing rate was lower, at 50mt per calendar day. At this rate, the remaining allocation may be taken in 58 days (June 6).

Latent Effort and Oregon Permit Transfer Provisions

Oregon has 25 limited-entry permits, which are issued to a vessel. Permits are transferable up to two times per calendar year (OAR 635-004-0415). Fees for a permit transfer plus non-resident fees for a commercial boat license, a commercial fishing license and 3 crew total \$1140.

Reportedly, some Washington seiners are ready to begin fishing if sardines show up off Washington and harvest opportunity remains. Some California seiners are awaiting the Council's decision on this topic before heading to Oregon to fish.

Other Landed Catch

The CPSMT expects that total Period 3 incidental catch by CPS fisheries will fall within the allocation limit of 500 mt. For Periods 1 and 2, incidental catch by CPS fisheries was less than half this amount (208mt and about 111mt, respectively).

For the period between a closure of the directed fishery in Period 3, if any, and June 30, the 500mt incidental set aside remains for the third fishing period. Approximately 950 mt remain in the tribal set aside.

Agency Management Action Capability

States have different regulatory and public notification processes and timeliness for implementing potential changes to management specifications.

California

If the California Fish and Game Commission were to use California Fish and Game Code Section 240 to take emergency action to close the sardine fishery, the process will take at least 30 days.

From the code:

240. (a) Notwithstanding any other provisions of this code, the commission, when promulgating regulations pursuant to any authority otherwise vested in it by this code, may, after at least one hearing, adopt an emergency regulation or order of repeal pursuant to Section 11346.1 of the Government Code if it makes either of the following findings:

(1) That the adoption of a regulation or order of repeal of a regulation is necessary for the immediate conservation, preservation, or protection of birds, mammals, reptiles, or fish, including, but not limited to, any nests or eggs thereof.

Oregon

Oregon Department of Fish and Wildlife can take emergency action via a temporary rule within a day, if necessary. To provide adequate opportunity for agency consideration and public notice, implementing a fishery change can be operationally accomplished within 5 business days.

Washington

The Washington Department of Fish and Wildlife (WDFW) can take emergency action if an immediate resource conservation need is identified. Specifically from the Revised Code of Washington (34.05.350), if an agency for good cause finds: That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest. An emergency rule adopted under this section takes effect upon filing with the code reviser, unless a later date is specified in the order of adoption, and may not remain in effect for longer than one hundred twenty days after filing. Using the emergency rule approach, the process can take minimally a day, depending largely on the code reviser schedule.

Impacts on Ex-Vessel Revenue

Current Oregon sardine prices are considerably higher than in past years, with processors paying 18 cents per pound (ex-vessel revenue). Normally price is about 11-12 cents per pound. Each 1,000 mt is worth \$375,000-\$400,000 in ex-vessel revenue.

CPS FMP Provisions on Overfished Definitions

The CPS FMP provisions related to an overfished condition are presented here. The SSC determined that the stock is not currently overfished and it is unknown if an overfished condition is being approached (SSC Supplemental Report J.1.b, April 2015). Figure 1 below shows historical stock biomass estimates from the 2015 stock assessment update in comparison to the CUTOFF at 150,000mt and the sardine overfished definition at 50,000mt.

4.4 Definition of an Overfished Stock

By definition, an overfished stock in the CPS fishery is a stock at a biomass level low enough to jeopardize the capacity of the stock to produce MSY on a continuing basis. An overfished condition is approached when projections indicate that stock biomass will fall below the overfished level within two years. The Council must take action to rebuild overfished stocks and to avoid overfished conditions in stocks with biomass levels approaching an overfished condition.

4.6.2.1 Definition for Overfished Stock for Sardine

An overfished sardine population is one with a 1+ stock biomass on July 1 of 50,000mt or less. No directed fishing is allowed in any year or season while the stock is overfished. The Council is required to minimize fishing mortality on an overfished stock to the extent practicable and to undertake a rebuilding program which may be implicit to the harvest control rule or explicit.

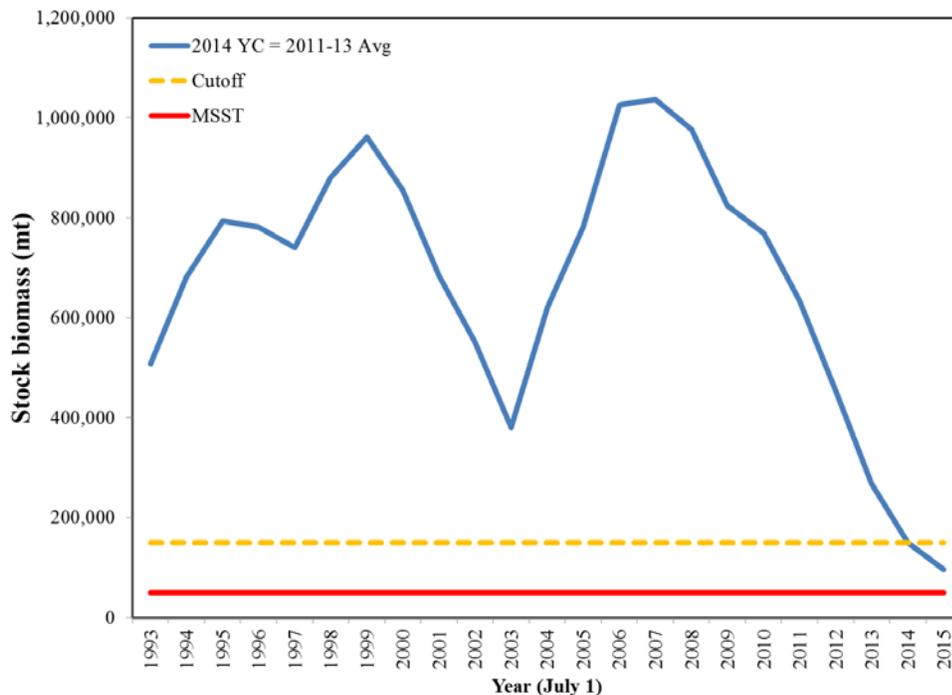


Figure 1. Estimated sardine stock biomass (northern subpopulation) estimates for 1993 through 2015 and comparison to the CUTOFF of 150,000mt and overfished definition of 50,000mt. Data from the 2015 stock assessment update (Hill et al., 2015).